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SUBJECT: DOMINICA DROPS DIPLOMATIC CASE AGAINST SWITZERLAND

REF: BRIDGETOWN 875

Classified By: DCM Mary Ellen T. Gilroy for reasons 1.4 (b) and (d).

¶1. (C) Summary: Dominica has dropped the case it brought against Switzerland at the International Court of Justice, choosing not to pursue the matter of a questionable "diplomat" who had been stripped of his diplomatic status. The Government of the Commonwealth of Dominica (GCOD) withdrew in May its complaint that the Swiss had wrongly revoked the diplomatic credentials of Russian-born businessman Roman Lakschin, who had obtained Dominica citizenship through the Caribbean island state's economic citizenship program and was subsequently named Dominica's representative to the UN in Geneva. The GCOD's failure to offer any reason for withdrawing the case supports the supposition that a high-level official pursued the matter on Lakschin's behalf, suggesting the possibility of corruption. End summary.

Dominica Withdraws Case

¶2. (U) Dominica formally withdrew in May its case against Switzerland at the International Court of Justice (ICJ) that had charged the Swiss with violating the Vienna Convention on Diplomatic Relations for revoking the diplomatic status of Dominica's representative to the UN in Geneva (reftel). The individual in question, Russian-born Roman Lakschin, had obtained Dominica citizenship in the 1990s through the country's economic citizenship program and was subsequently named a diplomatic representative. The Swiss Government charged that Lakschin was not a diplomat but a businessman and revoked his diplomatic status in 1997 and, after Dominica reappointed him, revoked it again in 1998. The GCOD did not challenge the Swiss action until it brought the current case to the ICJ in 2006. Roman Lakschin reportedly sought to regain his diplomatic status in Switzerland as a means to avoid a recent lawsuit.

¶3. (C) Shortly after filing its case against Switzerland on April 26, the GCOD announced that it would delay further legal action until it could investigate the Lakschin matter. This led to speculation in the press that a high-level Dominica official, perhaps Minister of Foreign Affairs Charles Savarin, had agreed to file the case after meeting with Lakschin. (Note: MFA Permanent Secretary Steve Ferrol offered vague confirmation of this version of events during a conversation with Poloff, although the PermSec did not name the Foreign Minister nor did he appear to know the full

story. End note.)

Outside Pressure to Support "Diplomat"

¶4. (C) Dominica informed the ICJ on May 24 that it wished to withdraw its case against Switzerland. This was done without any public announcement by the GCOD, its action coming to light only after the court issued a press release on June 12.

The same day, a typically well-informed Dominica-related website (<http://thedominican.net/>) posted an account of the matter as provided by Detter Frankopan, an international jurist who brought the case to the ICJ on behalf of Dominica.

The attorney said that had she known all of the "facts" regarding Roman Lakschin she would have advised the GCOD against filing the case. Frankopan claimed there was "considerable outside pressure on herself and on the Government to follow instructions," according to the website.

(Note: The MFA PermSec understands that Frankopan may actually have been retained by Lakschin. End note.)

Pressure on Whom?

¶5. (C) Comment: The convoluted circumstances surrounding Dominica's case against Switzerland suggest that Roman Lakschin used a degree of influence, perhaps a bribe, to have the GCOD support his attempt to regain diplomatic status. Such an occurrence would not be surprising considering the various accusations made against Dominica for the less than stellar manner in which it has named diplomats or managed its economic citizenship program. Unfortunately, Dominica and other small Caribbean states remain corruptible as long as government officials look to questionable means to raise money for their meager state coffers or even for themselves.

End comment.

KRAMER